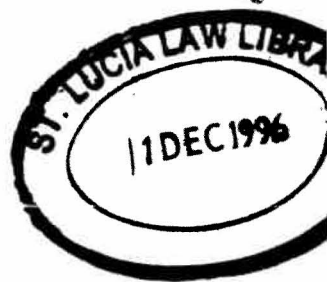


SAINT LUCIA



IN THE HIGH COURT OF JUSTICE

(CIVIL)

Suit No. D 4 of 1995

Between:

THEA ANTHONY FLORENCE BEAUBRUN

VS

JOSEPH CLIVE ANTHONY BEAUBRUN

Mr. L. Williams for Petitioner
Mr. P. I. Foster for Respondent

1996: March 8th & 12th 1996

J U D G M E N T

d'Auvergne, J.

The parties were married on the 6th January 1979 and on the 10th of April obtained a Decree Nisi.

Notice of application for Ancillary relief was filed on the 25th May, 1995 and affidavit of means was filed on the 29th September, 1995 by the Petitioner.

On the 29th November, 1995 the Respondent filed his affidavit in reply.

On the 9th January, 1996 an application for an order for an injunction was filed by the Petitioner requesting that the Respondent be restrained from removing all or any of the three children of the marriage viz

Raquela Anthony Florence Beaubrun

Alexander Clive Anthony Beaubrun

Gabriela Anthony Theresa Beaubrun

out of the jurisdiction.

The application was heard on the 26th January, 1996. The application was dismissed with no order as to Costs.

On the 8th March, 1996 the application for Ancillary relief was heard and after much submission and argument especially with regard to the custody and access of the children to the Respondent an amicable solution was arrived at. The Petitioner gave an undertaking to bring up the three children in the Roman Catholic faith and agreed to specific times, when the Respondent could have access to the children.

It was also agreed that the Respondent who was presently undergoing some financial difficulties was unable to finance a lump sum and that the Petitioner would be at liberty to apply at a later date.

My order is as follows:

- (1) Upon the Petitioner's undertaking to bring up the three children of the marriage viz Raquela Anthony Florence Beaubrun, Alexander Clive Anthony Beaubrun, Gabriela Anthony Theresa Beaubrun as Roman Catholics in accordance with the teachings of the Roman Catholic faith and that the Respondent be consulted on all Medical and Educational matters regarding the said children the Petitioner is hereby granted custody of the said three children of the marriage.
- (2) That the Respondent's access to the said three children be as follows:

One week he collects the children on Friday evening at 5.00 p.m. to 6.00 p.m. on Saturday and on the following week from 5.00 p.m. on Friday to 5.00 p.m. on Sunday.

- (3) That the Respondent do provide maintenance for the said children in the sum of \$2,010.00 per month. \$670.00 per each child until each child attains the age of eighteen years or under goes further or higher education.
- (4) That the Petitioner be at liberty to apply for lump sum payment.
- (5) That there will be no order as to costs.

SUZIE d'AUVERGNE
PUISNE JUDGE